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PATENT & TRADEMARK OFFICE

Patent
Attorney's Docket No. 000952-066

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JUN - 7 2002
TC 3700 MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
	)	
JOHN R. PEERY	)	Group Art Unit: 3763
	)	
Application No.: 09/296,582	)	Examiner: J. Maynard
	)	
Filed: April 23, 1999	)	Confirmation No.: 8609
	)	
For: TROCAR FOR INSERTING IMPLANTS	)	

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed March 7, 2002 enclosed are the following documents:

[X] An Amendment and Reply.

[] A Terminal Disclaimer and a check for [] $55.00 (248) [] $110.00 (148) to cover the requisite Government fee are also enclosed.

[] Also enclosed is _____ .

[] Small entity status is hereby claimed.

[] Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the [] $370.00 (279) [] $740.00 (179) fee due under 37 C.F.R. § 1.17(e).

[] Applicant(s) previously submitted ___, on ___, for which continued examination is requested.

[] Applicant(s) request suspension of action by the Office until at least _, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

[] A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

[] No additional claim fee is required.

[X] An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	18	MINUS 20=	0	× $18.00 (103) =	0
Independent Claims	6	MINUS 5 =	1	× $84.00 (102) =	84.00
If Amendment adds multiple dependent claims, add $280.00 (104)					0
Total Amendment Fee					84.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					0
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					$84.00

[X] A claim fee in the amount of $ 84.00 is enclosed.

[] Charge $_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: June 4, 2002

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	)	

DO NOT ENTER
11 June 02
J. Maynard

AMENDMENT AND REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed March 7, 2002, Applicant submits the following amendment and remarks.

IN THE CLAIMS:

Please replace Claims 3 as follows:

3. (Amended) A trocar comprising:

a cannula for receiving an implant and inserting the implant into an animal, the cannula having a sharp tissue penetrating distal end;

a spring element received entirely within the cannula, the spring element having a leaf spring for retaining the implant inside the cannula, the leaf spring applying a frictional force against the implant sufficient to prevent the implant from sliding out of the cannula under a weight of the implant, wherein the leaf spring is formed as a T-shaped cut

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